



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Public Notice – Environmental Regulation

Notice of intended action: The State Water Control Board intends to consider drafting a proposal for the amendment of a general permit regulation on water quality. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency. This general permit regulation will allow the release of treated wastewater from seafood processing industries into waters of the Commonwealth for those who register for coverage under this permit.

Regulation name: General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Seafood Processing Facilities 9VAC25-115 (VAG52).

Purpose of notice: The board is seeking comments through the Department of Environmental Quality on the intended regulatory action, including but not limited to 1) ideas to assist the board in the development of a proposal 2) the costs and benefits of the alternatives stated in the agency background document or other alternatives 3) effects of the regulation on farm or forest land preservation and 4) persons interested in participating on an advisory committee. The board is also seeking information on impacts on small businesses.

Public comment period: July 14, 2014 to August 13, 2014.

Public meeting: No public meeting.

Public comment stage: Notice of Intended Regulatory Action.

Subject matter and intent of proposal: The general permit will establish limitations and monitoring requirements for point source discharges from seafood processing facilities. As with an individual VPDES permit, the effluent limits in the general permit will be set to protect the quality of the waters receiving the discharges. The primary issue that needs to be addressed is that the existing general permit expires on July 23, 2016 and must be reissued in order to continue making it available after that date. Other issues that need consideration are updating the storm water management requirements, whether other types of seafood processing need to be added to the general permit, and whether oyster tumbling and sorting needs to be covered under the general permit. Amendments may be identified following the submittal of public comments on this Notice and by the technical advisory committee during deliberations of this general permit regulation.

Technical Advisory Committee: The board is using a technical advisory committee to develop a proposal. Persons interested in assisting in the development of a proposal should notify the department contact person by the end of the comment period and provide their name, address, phone number, email address and the organization they represent (if any). The primary function of the advisory committee is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus. Multi-applications from a single company, organization, group or other entity count as one for purposes of making the decision specified in the preceding sentence. Notification of the composition of the advisory committee will be sent to all applicants.

How to comment: DEQ accepts written comments by hand-delivery, email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ no later than the last day of the comment period. All exhibits and documents received are part of the public record.

How a decision is made: After comments have been considered, the board will decide whether to take action on a proposal. If the board decides to consider the regulation, there will be another public comment opportunity, including a public hearing. After these comments have been considered, the board will make the final decision.

To review regulation documents: The agency background document (including purpose, statutory authority, need, substance of planned regulatory changes, alternatives and the family impact statement) is available on the Town Hall web site at www.townhall.virginia.gov and by contacting the DEQ representative named below. There are no regulation amendments available for public comment at this time. The public may review additional documents related to this action at the following location:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx#SEA>

Contact for public comments, document requests and additional information: Eleanore M. Daub, Office of VPDES Permits, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218; Phone: (804) 698-4111; Fax (804) 698-4032, Email: elleanore.daub@deq.virginia.gov. Comments may also be submitted through the Public Forum feature of the Virginia Regulatory Town Hall web site at: www.townhall.virginia.gov. Written comments must include the name and address of the commenter. In order to be considered comments must be received by DEQ by the close of the public comment period.